



**WorkSource System Policy**  
**Employment System Administration and Policy**

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Washington envisions a nationally recognized fully integrated One-Stop system with enhanced customer access to program services, improved long-term employment outcomes for job seekers and consistent, high quality services to business customers. In order to achieve this vision, Employment System Administration and Policy sets a common direction and standards for Washington's WorkSource system through the development of WorkSource system policies, information memoranda, and technical assistance.

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**Policy Number:** 1019, Revision 4  
**To:** Washington WorkSource System  
**Effective Date:** December X, 2018

**Subject:** Eligibility Guidelines and Documentation Requirements

**1. Purpose:**

To communicate revised eligibility guidelines and documentation requirements for the Wagner-Peyser, Workforce Innovation and Opportunity Act (WIOA) Title I Youth, Adult, and Dislocated Worker, Jobs for Veterans State Grant, and Trade Adjustment Assistance programs.

**2. Background:**

This integrated WIOA eligibility policy includes the Eligibility Policy Handbook that details specific WIOA Title I Youth, Adult, and Dislocated Worker program eligibility criteria and incorporates added guidance specific to WIOA Title I programs.

The Handbook identifies acceptable documentation of eligibility criteria that align with WIA data element validation (DEV) requirements in Training and Employment Guidance Letter ([TEGL 22-15](#)). The Handbook will be further updated and revised when WIOA DEV requirements are eventually issued by the U.S. Department of Labor (DOL).

Note: This policy addresses eligibility, but the eligibility process alone may not complete the enrollment process. Local Workforce Development Boards (LWDBs) may require more documentation and procedures to complete registration and enrollment.

**3. Policy:**

**a. LWDB Accountability**

LWDBs will only be held accountable to the laws, rules, and guidance in effect at the time decisions are made on eligibility, documentation, self-attestation, and local responsibilities.

## **b. Program Eligibility**

This policy addresses eligibility requirements for the Wagner-Peyser, WIOA Title I Adult, Dislocated Worker, and Youth, Jobs for Veterans State Grant, and Trade Adjustment Assistance programs.

Program eligibility requirements are detailed in the attached [Handbook](#).

## **c. Data Element Validation (DEV) and Documentation Requirements**

LWDBs must maintain adequate documentation to ensure credibility of eligibility determinations and support DEV requirements in alignment with this policy and [WorkSource System Policy 1003 – Data Element Validation](#).

DOL mandates annual DEV to assess the accuracy of reported participant data through specific documentation requirements. A number of the data elements validated through this process pertain to program eligibility. Note: DOL announced that it will not require DEV in Program Year 2017.

It is the policy of the State to align WIOA program eligibility documentation with existing DEV documentation requirements for any eligibility components included under DEV (refer to Section 6 of the Handbook). Aligning these requirements will increase efficiencies and ensure DEV requirements are met (for eligibility components) at the time of participant enrollment. To that end, eligibility documentation will support future data validation efforts.

The Handbook identifies acceptable documentation of eligibility criteria that align with [WIA](#) DEV requirements as per the issuance of [TEGL 22-15](#). The Handbook will be further updated and revised when DEV requirements for WIOA are eventually issued by the U.S. Department of Labor (USDOL). Until such time as WIOA-specific guidance is available, LWDBs are directed to continue referring to WIA-based DEV requirements in [TEGL 22-15](#).

There are other eligibility components not addressed by DEV. The State has aligned its policy with additional documentation requirements provided by DOL (e.g., Selective Service Registration) and the State (e.g., Unemployment Insurance). ESD has established documentation requirements for eligibility components not addressed by DOL (e.g., legal entitlement to work in the U.S.).

## **d. Self-Attestation**

It is the policy of the State to allow LWDBs to use self-attestation as a minimum documentation requirement where allowed by federal guidance (i.e., DEV requirements in [TEGL 22-15](#) or Selective Service documentation requirements in [TEGL 11-11 Change 2](#)) or state law (i.e., the requirements governing UI eligibility determination).

To ensure properly documented customer self-attestation, ESD **strongly** encourages LWDBs to use the self-attestation form provided in the Handbook, or one that is substantially similar in content. Improperly documented self-attestation or self-attestation on eligibility elements not permitted under federal law, or guidance, or this policy, may result in disallowed costs. Properly documented self-attestation serves as evidence of eligibility determination and does not, by itself, warrant disallowed cost findings. Properly documented self-attestation does not, by itself, preclude disallowed cost findings if it is determined during monitoring, reviews, or audits that the attestation was false.

#### **e. Local Responsibilities**

LWDBs are responsible for establishing local procedures to align with this policy. Specifically, LWDBs must address the following components at the local level:

##### **i. General:**

- A. Identification of the local record keeping system to be used.
- B. Local documentation requirements, including:
  - Any supplemental documentation requirements (i.e., local requirements could stipulate additional documentation is required for eligibility criteria, beyond the minimum requirement contained in the Handbook); and
  - Additional documentation requirements for eligibility that do not otherwise require documentary evidence (i.e., local parameters for determining “unlikely to return to a previous industry or occupation”, among others, which could include a documentation requirement). Refer to Section 6 of the Handbook.
- C. LWDB determinations regarding the use of self-attestation when allowed (see Section 6 of the Handbook).
- D. The determination of whether or not youth who do not live at home, or youth ages 18-24 who do live at home, will be regarded as individuals rather than dependents, including the parameters for these determinations (Section 5.6 of the Handbook).
- E. Additional criteria, if any, to help staff determine family size and income for the WIOA Title I Youth and Adult programs (Section 5.6 of the Handbook).

##### **ii. Youth Program:**

Local parameters and policy for the definition of:

- A. Low income, based on the definition at WIOA Section 3(36). LWDBs establish income verification requirements and what is included or excluded as income (Sections 2.4 and 5.6 of the Handbook).
- B. “Requires additional assistance” (Category 7 for in-school youth; Category 8 for out-of-school youth).
- C. Whether or not to use self attestation for the locally established parameters (Section 2.1 of the Handbook).

- D. Determination of whether or not the LWDB will utilize the 5 percent window to serve participants under the WIOA Youth program who do not meet the low income criteria (Section 2.3 of the Handbook).

### iii. **Adult Program:**

Low income, based on the definition at WIOA Section 3(36). LWDBs establish income verification requirements and what is included or excluded as income (Sections 5.6 and 8 of the Handbook).

Priority of service beyond Categories 1, 2, and 3. LWDBs can establish added priority groups beyond those covered by Categories 1, 2, and 3 as long as those added priorities groups are defined in local policy.

### iv. **Dislocated Worker Program:**

Local parameters for the definition of:

- A. "Unlikely to return to a previous industry or occupation."
- B. "Substantial layoff" under WIOA Section 3(15)(B)(i) (under Dislocated Worker definition).
- C. "General announcement" of plant closing under WIOA Section 3(15)(B)(ii) or (iii).
- D. "Unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters" for determining the eligibility of self-employed individuals, including family members and farm or ranch hands, under WIOA Section 3(15)(C).
- E. "Employment that leads to self-sufficiency" for a dislocated worker when determining whether the individual needs training services to obtain employment (20 CFR 680.210). Refer to Section 4.3 of the Handbook for additional guidance on "Stop-Gap" employment.
- F. The designated timeframe prior to planned separation (no earlier than 18 months prior) during which military service members can receive Dislocated Worker services. Refer to Section 4.2 of the Handbook for guidance.

## 4. **Definitions:**

For a complete list of definitions refer to the Handbook.

**Data Element Validation (DEV)** – The federally mandated process by which the state annually assesses the accuracy of reported participant data (refer to [WorkSource System Policy 1003, Revision 1](#) and [TEGL 22-15](#)).

**Self-Attestation** – Self-attestation occurs when a participant (applicant) states his or her status for a particular data element, such as pregnant or parenting youth, and then signs and dates a form acknowledging this status. The key elements for self-attestation are: (a) a participant

(applicant) identifying his or her status for a permitted data element; and (b) signing and dating a form attesting to this self-identification. Forms are available in Section 7 of the Handbook.

## 5. **References:**

- [Public Law 113-128, Workforce Innovation and Opportunity Act \(WIOA\) of 2014](#)
- [WIOA Final Rule; 20 CFR Parts 676, 677, and 678; Federal Register, Vol. 81, No. 161, August 19, 2016](#)
- [WIOA Final Rule; 20 CFR Parts 603, 651,652, et al; Federal Register, Vol. 81, No. 161, August 19, 2016](#)
- [Public Law 107-288, Jobs for Veterans Act \(JVA\) of 2002](#)
- [Training and Employment Guidance Letter \(TEGL\) 22-04](#)
- [Training and Employment Guidance Letter \(TEGL\) 22-04, Change 1](#)
- [Training and Employment Guidance Letter \(TEGL\) 10-09](#)
- [Training and Employment Guidance Letter \(TEGL\) 11-11, Change 2](#)
- [Training and Employment Guidance Letter \(TEGL\) 09-12](#)
- [Training and Employment Guidance Letter \(TEGL\) 19-13](#)
- [Training and Employment Guidance Letter \(TEGL\) 19-13, Change 1](#)
- [Training and Employment Guidance Letter \(TEGL\) 19-13, Change 2](#)
- [Training and Employment Guidance Letter \(TEGL\) 11-12](#)
- [Training and Employment Guidance Letter \(TEGL\) 23-14](#)
- [Training and Employment Guidance Letter \(TEGL\) 08-15](#)
- [Training and Employment Guidance Letter \(TEGL\) 22-15](#)
- [Training and Employment Guidance Letter \(TEGL\) 10-16](#)
- [Training and Employment Guidance Letter \(TEGL\) 10-16, Change 1](#)
- [Training and Employment Guidance Letter \(TEGL\) 19-16](#)
- [Training and Employment Guidance Letter \(TEGL\) 21-16](#)
- [Veterans Program Letter \(VPL\) 03-14](#)
- [Veterans Program Letter \(VPL\) 03-14, Change 1](#)
- [Veterans Program Letter \(VPL\) 03-14, Change 2](#)
- [Veterans Program Letter \(VPL\) 04-14](#)
- [WorkSource System Policy 1003, Revision 1 - Data Element Validation](#)
- [WorkSource System Policy 1009, Revision 1 - Priority of Service for Veterans and Eligible Spouses](#)
- [WIOA Title I Policy 5404, Revision 1 - Records Retention and Public Access](#)
- [WIOA Title I Policy 5602, Revision 1 – Supportive Services and Needs-Related Payments](#)
- [WIOA Title I Policy 5607, Revision 3 – Employer Criteria and Cost Sharing for Training Provided to Incumbent Workers](#)
- [WorkSource Information Notice \(WIN\) 0027, Change 4 - Use of UI Claimant Web Site in Place of WIA001 Report](#)
- [WorkSource Information Notice \(WIN\) 0041 - Address Confidentiality Program](#)
- [WorkSource Information Notice \(WIN\) 0078, Change 1 – Provision of Title I Follow-up and](#)

[Supportive Services Before and After Exit for Adults and Dislocated Workers](#)

- [WorkSource Information Notice \(WIN\) 0084, Change 1 – Supplemental State Guidance for the WIOA Title I Youth Program](#)

**6. Supersedes:**

WorkSource System Policy 1019, Revision 3

**7. Website:**

<https://wpc.wa.gov/adm/policy/state>

**8. Action:**

LWDBs are required to implement and comply with the requirements contained within this policy and the Eligibility Policy Handbook (Attachment A) within 90 days of publication. Together, the policy and handbook represent the minimum federal and state requirements. LWDBs may modify the handbook to incorporate any additional local policy requirements, including local determinations required by Section 3.e of this policy, or LWDBs may update local policies to align with this policy and handbook.

LWDBs and their contractors, as well as Employment Security Regional Directors, must distribute this policy broadly throughout the system to ensure that WorkSource System staff are familiar with its content and requirements.

**9. Attachments:**

Attachment A – [Eligibility Policy Handbook \(PDF\)](#)

Attachment A – [Eligibility Policy Handbook \(Word version provided for local implementation\)](#)

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